

August 9, 2012

The Common Council met at the Water Utility Board at 7:00pm on the above date in the Meeting Room at City Hall Annex with Mayor Tucker presiding and Members Shelton, Fuelling, Hoehn, Curtis and Higgins attending. Others attending were Attorney Higgins, Chief Beloit, Chief Dixon, Water Superintendent Gray, Assistant Street Commissioner Miller, Sewer Superintendent Givens, Lindsay Suits, Nancy Hoehn, Ann Fisher, Nancy Sexton, Shane Suits, Sara Manifold – Mt. Vernon Democrat, Pam Robinson – Posey County News.

Mayor Tucker called the meeting to order by stating members were either mailed or hand carried copies of the minutes of their previous meeting and by asking if there were any corrections or additions. He added if not, he entertains a motion to waive the reading and approve the minutes as presented.

Board Member Curtis moved the reading of the minutes be waived and they be approved as presented.

Seconded by Board Member Higgins.

Mayor Tucker asked if there was any discussion.  
There was none.

Mayor Tucker asked all those in favor of the motion to signify in the affirmative; and following the vote he reported the motion carried unanimously.

Board Member Fuelling moved the claims presented be allowed for payment.  
Seconded by Board Member Shelton.

Mayor Tucker asked if there was any discussion.  
There was none.

Mayor Tucker asked all those in favor of the motion to signify in the affirmative; and following the vote he reported the motion carried unanimously.

\*\*\*\*\*CLAIMS\*\*\*\*\*

Water Chairman Curtis stated he had received a call from Richard Honeybrink with Johnson Controls stating they will start seeing work in the next 10 days to 2 weeks depending on the barge. He stated they will start work on the riverfront with removing rip wrap. Chairman Curtis stated they feel good on the timeline and want to get started in time to get the work done this year.

Superintendent Gray stated he wanted to let the Board know they will take the plant completely down next week 4-6 hours to hook up the temporary lift station and put the bypass in.

Mayor Tucker asked if there were any questions for Superintendent Gray there was none.

Mayor Tucker asked if the Clerk-Treasurer had any communication for the board.  
Clerk-Treasurer Dike replied not at this time.

Mayor Tucker asked if there was anything for Legal Presentation.

Attorney Higgins stated that Don Morrison is here with Main Stream LLC to give an update to the Board regarding the Water Solids Dewatering Project . She stated that Mr. Morrison has a written report to hand out. She stated as you read the report you will notice there is a disagreement as to what the engineer says is complete and what has been billed.

Mr. Morrison approached the board and told them he is here tonight to bring them up to date on the project. He stated the project was the least expensive and quickest solution to the environmental compliance requirements. He stated to reduce the costs the project was being completed by Mt. Vernon Staff and by Contractors under a public works contract. Mr. Morrison stated that most of the work is done. Mr. Morrison stated that in November the Contractor stated they were finished, and he stated no there are items that need to be completed. Over the last 8 months most of the items have been done with the exception of one. At this point he is suggesting some options for the board.

Mr. Morrison suggestions are dismissing the contractor or finishing the work with Mt. Vernon staff or another contractor.

Mr. Morrison told the Board to review the last lines on the back page of the handout he passed out. Mr. Morrison stated the initial contract amount was \$129,460.00 with the addition \$770.00 with the deduction of \$1,100 and the planned estimated materials by Mt. Vernon of \$6,000 for actual feed piping is an estimated total of \$135,130.00. He stated following his recommendation the final estimated total will be \$112,357.00 not including the Mt Vernon labor and professional services. Following his recommendations the final estimated total will be \$112,357.00 not including the Mt. Vernon labor and professional services. He stated the project total was around \$135,000.00 with around \$112,000 spent and the contractor wants the rest. His recommendation is that the contractor should not be paid. He stated they have not earned it.

Board Member Curtis you have made the deductions and you are recommending the \$112,357.00

Mr. Morrison stated the expenditures are not all done yet but what he recommends is \$112,357.00 will be spent. They want an additional \$30,000 something and what he is saying is get the job done and you will get paid.

Attorney Higgins stated they have been invoiced for the release of the retainage and balance of the contract price. She stated that you are recommending instead of the \$35,000 they are requesting you are saying they are owed \$1,980.00. She asked Mr. Morrison if that is correct.

Mr. Morris stated yes that is correct. He doesn't believe they are owed anything above that until the job is done.

They would get balance of payments when the job is done.

Superintendent Gray stated the overhead pipe rack was not installed.

Board Member Curtis stated if they haven't done what they said they were going to do then they shouldn't get paid for it.

Mr. Morrison asked if anyone from Empire was in the audience. There was no response. He stated that Empire stated they were done and they are leaving. He stated they would not do it without a change order and they are not going to give a change order.

Superintendent Gray stated that the Mt. Vernon staff will do the pipe to the pipe rack.

Mr. Morrison stated that this is a somewhat unusual project because some of the work is being done by Mt. Vernon Staff but it is reflected in the specs.

Board Member Hoehn asked if it was clear in the drawings?

Mr. Morrison stated yes.

Attorney Higgins stated she wasn't aware there was a problem until she received an email from Empire asking about the invoice and she then contacted Mr. Morrison to find out what is going on. She then asked Mr. Morris to bring the issue to the board.

Attorney Higgins stated they have recourse and we can respond that the engineers have agreed payment of \$1,980.00.

Board Member Curtis asked Attorney Higgins is she needs a consensus. And stated you pay for what you get.

The Board agreed to allow Attorney Higgins draw up a response to send to Empire.

Mayor Tucker asked if there were any questions.

There were none.

Mayor Tucker asked if there was anyone in the audience who wished to address the board.

There was no response.

Mayor Tucker asked if anyone had anything under old business.

There was no response.

Mayor Tucker asked if anyone had anything under new business.

There was no response.

Mayor Tucker stated if there was no further business, he entertains a motion to adjourn. Member Curtis moved the meeting be adjourned.

Seconded by Member Shelton.

Mayor Tucker stated all those in favor of the motion should signify in the affirmative; and following the vote, he reported the motion carried unanimously and adjourned the meeting.

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John Tucker  
Mayor

ATTEST:

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Denise Dike  
Clerk-Treasurer

August 9<sup>th</sup>, 2012

The Common Council met immediately following the Water Utility Board at 7:00pm on the above date in the Meeting Room at City Hall Annex with Mayor Tucker presiding and Members Shelton, Fuelling, Hoehn, Curtis and Higgins attending. Others attending were Attorney Higgins, Chief Beloat, Chief Dixon, Water Superintendent Gray, Assistant Street Commissioner Miller, Sewer Superintendent Givens, Lindsay Suits, Nancy Hoehn, Ann Fisher, Nancy Sexton, Shane Suits, Sara Manifold – Mt. Vernon Democrat, Pam Robinson – Posey County News.

Mayor Tucker called the meeting to order by stating members were either mailed or hand carried copies of the minutes of their previous meeting and by asking if there were any corrections or additions. He added if not, he entertains a motion to waive the reading and approve the minutes as presented.

Councilman Hoehn stated he would like to make a correction on the third page at the very top of the page it reads if it is illegal under the old ordinance you can't grandfather illegal. It should read "it legal".

Councilman Curtis stated he had a question you want it to say you can't grandfather it legal. He stated ok.

Councilman Hoehn stated he moved the reading of the minutes with the correction being made be approved.  
Seconded by Councilman Curtis.

Mayor Tucker asked if there was any discussion.  
There was none.

Mayor Tucker stated all those in favor of the motion should signify in the affirmative; and following the vote, he reported the motion carried unanimously with the changes.

Mayor Tucker stated they will now hear the reported of the Standing Committees.

**Street and Light Chairman Fuelling** - stated he has no report.  
Assistant Street Commissioner Miller stated he has no report.

**Police and Dog Chairman Shelton** - stated she has no report.  
Police Chief Beloat was on a phone call.

**Fire Chairman Higgins** - stated she has no report.  
Fire Chief Dixon left the meeting on a fire run.

**Sewer Chairman Hoehn** – stated he has no report.  
Sewage Superintendant Givens stated he has no report.

Mayor Tucker stated you have the financial reports any questions can be directed to the Clerk-Treasurer.

Mayor Tucker asked if the Clerk-Treasurer had anything for the Council.  
Clerk-Treasurer Dike replied no.

Mayor Tucker stated the next item o the agenda is the legals.

Attorney Higgins stated the first ordinance is an ordinance adopting the supplement to the Code of Ordinances for the City of Mt. Vernon. She stated she believes that the Clerk-Treasurer has given everyone their 2012 supplement. She stated this is just an ordinance that adopts that supplement.

Councilman Hoehn moved that the Ordinance adopting a supplement to the Code of Ordinances for the City of Mt. Vernon be passed.  
Seconded by Councilman Fuelling.

Mayor Tucker stated there is a motion on the floor and a second adopting a supplement to the Code of Ordinances for the City of Mt. Vernon and asked for a roll call vote.

Roll Call was taken by Clerk-Treasurer Dike: Councilwoman Shelton – yes, Councilman Fuelling – yes, Councilman Hoehn – yes, Councilman Curtis – yes, Councilwoman Higgins – yes.

Councilman Curtis makes a motion to suspend the rules.  
Seconded by Councilman Fuelling.

Mayor Tucker stated there is a motion on the floor and a second to suspend the rules and asked for a roll call vote.

Roll Call was taken by Clerk-Treasurer Dike: Councilwoman Shelton – yes, Councilman Fuelling – yes, Councilman Hoehn – yes, Councilman Curtis – yes, Councilwoman Higgins – yes.

Councilman Curtis makes a motion that we approve the Ordinance adopting a supplement to the Code of Ordinances for the City of Mt. Vernon on second reading.  
Seconded by Councilwoman Shelton.

Councilman Curtis makes a motion to amend his motion and pass the Ordinance adopting a supplement to the Code of Ordinances for the City of Mt. Vernon on second and third reading.  
Seconded by Councilwoman Shelton.

Mayor Tucker asked if there was any discussion.  
There was none.

Mayor Tucker stated we have a motion to pass on 2<sup>nd</sup> and 3<sup>rd</sup> reading an Ordinance adopting a supplement to the Code of Ordinances for the City of Mt. Vernon and asked for a roll call vote.

Roll call vote was taken by Clerk-Treasurer Dike; Councilwoman Shelton – yes, Councilman Fuelling –yes, Councilman Hoehn – yes, Councilman Curtis – yes, Councilwoman Higgins – yes.

Mayor Tucker stated the motion passed.  
Clerk-Treasurer Dike reported the Ordinance number is 2012-15.

Attorney Higgins stated the second item under legal portion of the agenda is the 2<sup>nd</sup> reading of an Ordinance replacing Chapter 153 Code of Laws of the City of Mt. Vernon, Indiana, The Zoning Code which Mindy Bourne from Area Plan brought to you at the last meeting. Attorney Higgins stated this is an amended ordinance adopting the zoning chapter except the flood plan.

Councilman Hoehn asked since this is a new zoning ordinance shouldn't this be 1<sup>st</sup> reading since it is being amended.

Attorney Higgins stated that at the last Council meeting it had 1<sup>st</sup> reading with the motion to accept with that amendment. She stated she did not prepare this but she believes that is the only amendment to it, the effective date is the same the only thing is the flood plan.

Councilman Curtis stated he needs to make a motion in order to bring this to the floor.

Councilman Curtis makes a motion to pass on 2<sup>nd</sup> reading.  
Seconded by Councilman Fuelling.

Mayor Tucker stated there is a motion on the floor and a second to pass the Ordinance replacing Chapter 153 Code of Laws of the City of Mt. Vernon, Indiana, the Zoning Code. He stated we will now open this up to discussion.

Councilman Curtis stated there was a lot of discussion last time on this regarding the signage. He stated he has contacted Councilman Hoehn about his concern, and he thinks he misunderstood what was being said last time. The concern was with page 124. The idea that signs that are currently non-conforming would be grandfathered in, in an effort to make them conforming. That is not the case because you can't grandfather in something that is illegal. The issue was with the word "lawfully." Councilman Curtis stated he can't find it right now.

Attorney Higgins stated according to the minutes last time it is 153.200.

Councilman Curtis stated 153.204 page 140. He stated it is worded Outdoor advertising signs "lawfully" existing. He said it left out the differentially between the legally existing and the ones that are not legally existing. The idea was to level the playing field so that everybody that has signs up now would be under the same rules. He asked if he was wrong.

Councilman Hoehn stated that in 1992 the other ordinance came into effect. That ordinance would require signs to be in compliance within 5 years. For whatever reason it didn't happen. A lot of the signs have been out of compliance. If you look at the old ordinance and go thru town you will find a lot of signs are not in compliance. The problem he has with the new ordinance is it does not deal with those, it says those legally existing which left all the old signs as a liability. He stated what he would like to see happen and he is not sure how to do this but is to get all signs in compliance so we don't have this grandfather clause. He stated he would like all signs in compliance at some point and time.

Councilman Curtis stated in response to that on page 140 section 153.204 Outdoor advertising signs it states- outdoor advertising signs lawfully existing on the effective date of this ordinance which would be prohibited by its terms shall be subject to the following regulations. Councilman Curtis stated if we strike the word "lawfully" there and under business signs so that outdoor advertising signs existing now will be either in compliance with the new ordinance or not in compliance with

the new ordinance. If they are not compliant then they fall under the rule if there is more than 50% damage it will either be removed or brought into compliance. From the day this goes into effect they are in compliance with the new ordinance or not in compliance, there are only 2 categories – conforming or non-conforming.

Councilwoman Shelton stated once the non-conforming has 50% then they have to make a decision.

Councilman Curtis stated right. He stated so we don't fall into the same problem is a signed permit. He stated on page 126 (D-5) Sign Permit. It says signs that have not been issued a sign permit shall not be located in any district. He stated we need a list of signs we have. It goes on to say each sign requiring a permit shall display the permit number. In other words every sign should have a permit number.

Councilman Hoehn stated that we could go back and benchmark and give every sign a permit number.

Councilman Curtis stated all signs not issued a permit number cannot be located in any district. We might have to advertise but it should say if you have a sign come in and get your permit.

Attorney Higgins stated this would not be us but the Area Plan.

Councilman Curtis stated everybody has to get a permit in say 30, 60, 90 days or whatever. When you have your permit with your number you have to put your number on your sign. That is what this say. After that period of time, if it doesn't have one then you have something to enforce.

Councilman Hoehn stated so we have to amend it to say they must get a permit.

Councilman Curtis stated he has talked to Mindy at Area Plan and if we adopt it with this change then it goes back to Area Plan with two options. The first option is if they (Area Plan) take no action on it. If they take no action on it then it doesn't come back us we don't have to vote on it again, we have voted on it and they have accepted it. The second option is if they (Area Plan) don't accept it then it has to come back to us on again to vote on it whether we would accept under those circumstances.

Councilman Hoehn stated so we can make our changes and send it back to Area Plan.

Councilman Fuelling stated so basically there are signs out there whether right or wrong. If they do something with them and they are not up to code then they have to bring them up to the new ordinance code dated 9/1/12.

Councilwoman Higgins stated if a sign has been somewhere for 20 years and it is ok, but if they want to move the sign then they would have to be up to the new ordinance.

Councilman Curtis stated or 50% damaged. That would have to bring it into compliance.

Attorney Higgins stated you want the non-conforming signs to be given permit.

Councilman Curtis stated with a note that they are non-confirming.

Councilman Curtis makes a motion to amend his original motion to state that 153.204 (a) will have the word “lawfully” in the first line removed so that it will read – Outdoor advertising signs existing and 153.204 (b) will also have “lawfully” removed so it will read – Business signs existing on the effective date and on section (3) “lawfully” on the first line will be removed as well.

Page 126 -153.166 (b-5) Sign permit. All non conforming signs will be issued a permit indicating they are non conforming on the effective date of this ordinance.

153.204 (b) add that all non conforming signs will be issued a permit indicating on the effective date they were non conforming.

Seconded the amendment by Councilman Fuelling.

Mayor Tucker stated they have a motion on the floor and a second to amend the original motion.

Mayor Tucker asked if there was any discussion.  
There was none.

Roll Call was taken by Clerk-Treasurer Dike: Councilwoman Shelton – yes, Councilman Fuelling – yes, Councilman Hoehn – yes, Councilman Curtis – yes, Councilwoman Higgins – yes.

Councilman Curtis makes a motion to suspend the rules.  
Seconded by Councilman Fuelling.

Mayor Tucker stated we have a motion on the floor and a second to suspend the rules and asked for a roll call vote.

Councilwoman Shelton – yes, Councilman Fuelling – yes, Councilman Hoehn – yes, Councilman Curtis – yes, Councilwoman Higgins – yes.

Councilman Curtis makes a motion to pass on 3<sup>rd</sup> reading.  
Seconded by Councilman Hoehn.

Mayor Tucker stated there is a motion and a second to pass on third reading the zoning ordinance with the amendments that Councilman Curtis has presented and Mayor Tucker asked for a roll call vote.

Roll Call was taken by Clerk-Treasurer Dike: Councilwoman Shelton – yes, Councilman Fuelling – yes, Councilman Hoehn – yes, Councilman Curtis – yes, Councilwoman Higgins – yes.

Clerk-Treasurer Dike stated it is numbered 2012-16.

Mayor Tucker stated that concludes the legals.

Mayor Tucker stated the next item on the agenda is presentations from the audience. He asked if anyone in the audience wishes to approach the Council.

Lindsay Suits with the Black Township Trustee’s Office approached the Council. She stated she received a letter from Marksberry Law Office and printed it off regarding the transaction for



purchase of real estate for the purpose of the City of Mount Vernon, Indiana and the Black Township Fire Protection Project.

Mrs. Suits stated she will read the letter:

*Per your request and our conversation today, this correspondence is for the purpose of detailing the preliminary steps to organizing the transaction for the purpose of real estate for the purpose of the City of Mount Vernon, Indiana/ Black Township Fire Protection Project.*

*As you are aware, I spoke with Beth McFadin-Higgins on July 25, 2012 concerning the execution of the option agreement to purchase the real estate. It was our understanding that the operating agreement between Old Orchard LLC and City of Mt. Vernon was to be executed that afternoon and option fees submitted. In my July 25, 2012 correspondence with Ms. McFadin-Higgins I requested that all inspection documents related to the subject real estate be sent to our office for the purposes of review. She was not aware of any environmental issues with the property but we still request as part of our due diligence all related inspection documents.*

Mrs. Suits stopped and asked if any inspection documents were completed.

Attorney Higgins replied that she doesn't have a copy of the correspondence he is referring to and asked if Mrs. Suits has a copy. She stated the July 25<sup>th</sup> date he is speaking of they spoke by phone but she doesn't have a copy of it.

Mrs. Suits stated she does not have a copy of that, but he may just be referring to their phone conversation.

Attorney Higgins stated that Mr. Marksberry stated he would follow up with a list of things. She just wanted to make sure she didn't miss something, being it said correspondence. She stated that she had submitted copies of the documents that the seller had provided to the City. She stated the seller had an earlier environmental inspection and that was sent along with the original letter back in June she believes. Attorney Higgins stated she has all of that back at the office.

Mrs. Suits stated so in June the documents of inspection were submitted, but the City didn't have an inspection done.

Attorney Higgins replied no. She stated that no one has authorized a phase one environmental.

Mrs. Suits stated that the possibility to purchase needs an inspection. And stated the City has not done an inspection.

Attorney Higgins stated that no inspection has been done at the City's request.

Mrs. Suits began reading the letter again: *I also discussed with Ms. McFadin-Higgins that it would be necessary to execute a brief assignment agreement in which the City of Mount Vernon pursuant the option agreement to Black Township.*

Mrs. Suits stopped and asked if an option agreement was in place that would allow the assignment to a government entity to purchase the building.

Attorney Higgins stated that the City has allowed to assign specially to Black Township. She stated that they were going to cover that in the follow up correspondence. She stated that will be included in their written response.

Mrs. Suits began reading the letter again: *it has been the intent of Black Township since the beginning of this project that they would both be the purchaser of the real estate and hold title to the real estate until some form of transfer back to City of Mount Vernon at a later date. The following steps are required to continue our transaction:*

*1) Review all inspection related documents related to the subject real estate:*

Mrs. Suits stated that she will let Mr. Marksberry know that no inspection has been done at the City's request.

*2) Execute an Assignment Agreement with the City of Mount Vernon.*

*3) Enter a Purchase Agreement with the seller Old Orchard LLC.*

*These are the first of many steps to complete the transaction. I do believe that this transaction can close within the allotted option period. This would require that all parties continue to work toward this goal. As you are aware, we had our teleconference on July 25<sup>th</sup> and I have yet to receive the environmental and /or inspection documentation. I have also not been contacted by Ms. McFadin-Higgins's office or the seller to continue the transaction. We should request documentation immediately concerning the status of the execution of the option to purchase real estate agreement between Old Orchard LLC and the City of Mount Vernon. Once confirming that information and receiving the requested inspection information it would be necessary to proceed with entry into an appropriate purchase agreement for the sale of the subject real estate. I am not currently aware of any transactional issues that are presented that would prevent the parties from completing the transaction within the defined option period. I hope this information is helpful and will provide some insight as to current status and future handling. This letter summarizes only the first three steps of organizing the transaction and other steps will be necessary to bring this transaction to a close.*

*If you need any additional information please contact our office. G. Jayson Marksberry.*

Councilman Curtis stated he wants to understand we have agreed Mr. Marksberry would do the assignment. He is just trying to figure out who is responsible for what.

Mrs. Suits stated that yes it is their responsibility for the agreement assignment.

Attorney Higgins stated yes according to the phone conversation.

Councilman Curtis stated that we have not done an inspection; we have a copy of a prior.

Attorney Higgins stated we have a copy of a prior. She stated Mr. Marksberry if assigned if he has enough information in the prior one to go forward. The owner is going to bring us a copy of the title work from when they purchased it and that would bring us up to date. She stated it was fairly recent she believes in November. She stated that will be very helpful. Attorney Higgins stated that Mr. Mileham was supposed to have that to her office, but she believes he has been out of town.

Councilman Curtis asked if Attorney Higgins will follow up with Mr. Mileham if he doesn't provide it to us.

Attorney Higgins stated yes.

Mrs. Suits asked if Attorney Higgins will let Mr. Marksberry know there has been no inspection between the City and this transaction. She stated looking at what has been done the next step would be the assignment agreement and the purchase agreement with the seller.

Councilman Curtis asked the purchase agreement would be you (black township) entering into the agreement with Old Orchard. At what point do we know what our responsibility will be in the further years and the specific requirements would we have to meet to purchase the building. He hasn't heard that.

Attorney Higgins stated that the City has to know those answers to those questions and explanation. She stated she has emailed these questions, she stated she needs this in writing from Mr. Marksberry. She stated the City needs to know the plans at the beginning of the road. She knows Black Township doesn't want to get stuck with a building.

Mrs. Suits stated they can't put any additions onto the building until the title is held.

Councilman Curtis stated he understands that but once that has transpired what is our responsibility. He stated he thought that Black Township had some requirements.

Attorney Higgins stated there is no time period. She stated she has asked Mr. Marksberry if we put the money to use for the land, engineers expenses on the fire build-out, and closing costs that should use the full amount of the money. If we use all of the \$400,000 will they be willing to turn the land over to us.

Mrs. Suits stated that is their desire.

Attorney Higgins stated she will forward her email again and follow up with him.

Mrs. Suits asked Attorney Higgins if when she emails Mrs. Marksberry if she will please (cc) her on the emails so she can keep up.

Attorney Higgins stated she can scan the inspection and title work to her but it is pretty lengthy.

Mrs. Suits told Attorney Higgins to send that to Mr. Marksberry and (cc) me.

Attorney Higgins agreed.

Mayor Tucker asked if there were any questions.  
There were none.

Mayor Tucker asked if anyone else in the audience would like to address the Council.  
There was no response.

Mayor Tucker asked if anyone had anything under old business.  
There was no response.

Mayor Tucker asked if anyone had anything under new business.  
There was no response.

Mayor Tucker stated they will now hear the reports of the Districts.

**1<sup>st</sup> District Councilwoman Shelton** – stated she has no report.

**2<sup>nd</sup> District Councilman Fuelling** – stated he has no report.

**3<sup>rd</sup> District Councilman Hoehn** – stated he had been down to the water garden after a couple of the big rains but by the time he got there and the rain had stopped it was pretty dark and he didn't get a good look. He stated he went back the following morning and could see where the water had been up a little bit to the road but had not crossed it. He said he thinks it will be effective and work very nicely. He stated it looks promising.

Mayor Tucker stated that project was done with a \$550,000 grant.

**4<sup>th</sup> District Councilman Curtis** – stated he has no report.

**Councilwoman-at-Large Higgins**- stated she wanted to remind everyone of the 100<sup>th</sup> birthday celebration at Sherburne Park on Sunday. She stated there will be an old time ice cream social from 2-4 with the Dixilander.

Mayor Tucker asked if there were any questions.  
There were none.

Mayor Tucker stated next is Mayor's Announcements.

Councilman Fuelling stated phase 2 is going well at the riverfront. He stated they are working on the hand rails.

Mayor Tucker stated he did a walk thru on Thursday and got to see the water fountain.

Councilman Hoehn asked how much will be done by Riverdays.

Councilman Fuelling stated well he had talked to Dennis about the chances of that for Riverdays. He stated they are working on the hand rails and it would have to be safe. He stated they would like to get the sod-grass in. Councilman Fuelling stated that Dennis told him to come back on 8/15 and they could discuss it more then.

Larry Williams approached the Council and told them he just wanted to thank Mayor Tucker for his participation with Christmas on Main Street. He stated they raised \$2,107. Mr. Williams just wanted to give out a big thank you for everyone's help.

Mayor Tucker asked if there were any questions.  
There were none.

Mayor Tucker stated if there is no further business he entertains a motion to adjourn.

Councilman Hoehn moved the meeting be adjourned.  
Seconded by Councilwoman Higgins.

Mayor Tucker stated all those in favor of the motion should signify in the affirmative; and following the vote, he reported the motion carried unanimously and adjourned the meeting.

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John Tucker  
Mayor

ATTEST:

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Denise Dike  
Clerk-Treasurer